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S/1997/563
18 July 1997

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE CREDENTIALS OF THE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE SECURITY COUNCIL

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 16 July 1997 from the Permanent Mission of the United States of America to the United Nations stating that Mr. Howard Stoffer has been appointed alternate representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, the above communication constitutes adequate provisional credentials.

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19 July 1997

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS SUPPORT MISSION IN HAITI

I. INTRODUCTION

1. The present report is submitted in the context of Security Council resolution 1086 (1996) of 5 December 1996, by which the Security Council extended the mandate of the United Nations Support Mission in Haiti (UNSMIH) until 31 May 1997, and further to the statement in paragraph 32 of my report of 24 March 1997 (S/1997/244) on the basis of which the mandate of UNSMIH was further extended, for the final time, until 31 July 1997.

2. As the Security Council was informed on 30 June 1997, the present report takes into account in particular, the consultations held by the Under-Secretary-General for Peacekeeping Operations Bernard Miyet, during his visit to Haiti between 10 and 13 July 1997. The report is also based on my Special Representative's earlier discussions with the Government of Haiti and on the views of the group of "Friends of the Secretary-General for Haiti".

II. POLITICAL AND SECURITY SITUATION

3. Since my report of 24 March, a number of disquieting developments have created additional uncertainty in Haiti, placing in bold relief the fragility of the country's transition to democracy. On 9 June, Prime Minister Rosny Smarth announced the resignation of his Government, saying that he had been hamstrung by tensions within the ruling coalition and lamenting, in particular, certain developments surrounding recent elections. On 26 March, Prime Minister Smarth had been called before the Chamber of Deputies to answer questions in a formal interpellation of his Government, followed by a no-confidence motion which was defeated by a majority led by his party, the Lavalas Political Organization (OPL). In the aftermath, however, the Government failed to build on this victory. In resigning, Mr. Smarth noted continued criticism by some sectors which had not accepted the Parliament's decision and wanted to force the Government to "resign under the pressure of the street".

4. On 6 April, the first round of elections for one third of the Senate and two seats in the Chamber of Deputies and the election of thousands of members of local assemblies were held without major incident, although some political

activists had engaged in heavy-handed, intimidating tactics reminiscent of earlier regimes. Overall, less than 10 per cent of the electorate are believed to have cast ballots, but no firm statistics are available. This low turnout is indicative of the level of disillusionment with the process and impatience with the lack of tangible results from the return to constitutional rule.

5. After the polling, the fairness of the elections was questioned. In a letter to the Provisional Electoral Council (CEP) dated 7 May, the Electoral Observer Mission of the Organization of American States (OAS-EOM), which is monitoring the process at the request of the Government, cited irregularities and "attempts to manipulate the results" in some jurisdictions. OAS-EOM mentioned the use of incomplete, handwritten lists of voters, unsatisfactory counting procedures and voter turnout approaching or even exceeding 100 per cent in some places. In a communiqué dated 27 May OAS-EOM publicly lamented "numerous irregularities, procedural shortcomings and controversies which have tarnished the integrity" of the process.

6. Of particular concern was the decision by CEP not to include blank ballots in the counting of the absolute majority. This served to hand outright victories to two Senate candidates for the Fanmi Lavalas, the political party recently founded by former President Aristide. One of them, a former police adviser to President Aristide who had failed to be ratified by the Senate as Chief of Police in late 1995, was declared elected in the South-east Département with 50.13 per cent of the vote. This issue caused a stand-off between the two main Lavalas political parties, the Fanmi Lavalas, which backed the CEP stance, and the OPL. On 8 May, the Chamber of Deputies passed a resolution asking CEP to refrain from publishing final results from the first round until Parliament could agree on an interpretation of the disputed law. The Council, which is an independent body, did not comply with the resolution, nor did it heed the OAS-EOM legal opinion that articles 108 and 109 of the electoral law clearly provide that blank ballots should be included in the count. Moreover, the Council did not answer formally the petitions of the candidates who were objecting to the results. This led the OPL to announce that it would not participate in the second round unless the results of the first round were re-examined and corrective measures taken.

7. Further disquiet has been caused by the CEP decision not to sanction some electoral officials in areas with the most irregularities, but to transfer them to other areas. In response to these transfers, the Open Gate Party (PLB) also withdrew from the race just days before the date set for the second round, citing its lack of confidence in the Council.

8. Attempts by the international community to help the two sides find common ground have floundered. After the withdrawal of two of three participating parties, the second round was postponed for the second time and it has not been rescheduled. Both the OPL and the PLB continue to ask for a number of remedial measures, including the replacement of CEP. Meanwhile, the existing CEP is attempting to complete the local assembly elections. Complementary local elections were held on 6 July. According to OAS-EOM, these elections, which were announced just five days in advance, were marred by many of the same problems as those in April. Participation was extremely low and, in some places, there were indications of ballot-stuffing.

9. With respect to security, the situation since my last report has been characterized by continuing unrest, largely as a result of discontent over the country's economic situation and lack of improvement in living conditions, as well as factionalism within the ruling Lavalas movement. There were many demonstrations, blockades and incidents of violence, some of which were related to the elections. The PLB candidate for the Senate for the West Département was the target of several attacks.

10. In-fighting within the Lavalas movement slowed down government operations and hindered progress in the country's transition to democracy, as well as in the economic reforms on which the release of foreign assistance is largely conditioned. In-fighting has also further eroded public confidence in the capacity of the authorities to solve the serious problems facing Haiti. In the eyes of many Haitians, the State is still viewed as ineffective, corrupt and unresponsive to their concerns. This perception has been confirmed by the repeated failure of Parliament to gather a quorum, which has impeded the adoption of key legislation. It is noteworthy that the 1996-1997 budget was passed on 6 May, over seven months into the fiscal year, resulting in the loss of significant foreign aid.

11. The international community itself has now come under attack and is being blamed for the country's continuing difficulties. Some popular organizations have publicly opposed what they term a "foreign occupation". Recently, one of them called for armed struggle to "liberate" the country. While these are likely the views of a vocal minority, deep-seated nationalistic sentiments are widely shared, including by those who favour the continuation of an international presence. Calls for the departure of the "occupiers" made by some "popular organizations" have been echoed by a few politicians from both the ruling Lavalas movement and the opposition, but such calls have not been supported by the many interlocutors Under-Secretary-General Miyet met in Haiti. At the same time, the benefits that the country derives from the international presence have not been publicly explained.

12. Incidents related to the political rivalries within the ruling Lavalas movement and to growing frustrations over deteriorating living conditions have posed greater demands on the Haitian National Police (HNP), which by and large has performed well. In May, public school teachers walked out to demand payment of salary arrears and an 80 per cent pay increase. The strike led to student demonstrations and street fighting, which caused severe disruption for two days in parts of the capital. The speed with which the violent protests spread and became the focus for general discontent indicates the volatility of the situation, though the infiltration of agents provocateurs cannot be ruled out.

13. The increased circulation of weapons in Haitian society and new and more sophisticated forms of organized crime are also proving a formidable challenge to the fledgling police force. Increasing illegal traffic, particularly in drugs and vehicles, is a growing concern in need of urgent attention. As HNP becomes more effective in combating this traffic, the potential for violent confrontation is likely to increase, as crime rings will fight to maintain control. Gang warfare, particularly in the dense urban slum of Cité Soleil, has also taxed the ability of HNP ability to respond forcefully within the confines of the rule of law and respect for the rights of suspects. Police officers

suffer frequent attacks, often by armed individuals. Disappointed that the justice system is not keeping pace with developments, some of them have on occasion taken matters into their own hands.

14. Despite an agreement between the Governments of Haiti and the neighbouring Dominican Republic, forced repatriations of undocumented Haitians from the Dominican Republic have continued, though at a much slower pace. Through its offices in Port-au-Prince and Santo Domingo, the United Nations Development Programme (UNDP) has been working with the two Governments on the issue. The immigration and repatriation of Haitians remain a point of contention between the two countries, and the border area is the site of frequent incidents, owing in part to the heavy traffic in contraband.

III. DEPLOYMENT AND OPERATIONS OF THE UNITED NATIONS SUPPORT MISSION IN HAITI

15. In extending the mandate of UNSMIH until 31 May and, subsequently, until 31 July 1997, the Security Council endorsed my recommendation to maintain the Mission's authorized strength of 300 civilian police and 500 troops. As the Council is aware, in addition to that authorized strength, the UNSMIH military element includes 800 personnel from Canada and Pakistan whose activities are financed exclusively by voluntary contributions from Canada and the United States of America. The civilian police element of the mission currently numbers 225 officers from eight countries. The composition and strength of both elements is set out in the annex to the present report.

16. The UNSMIH military element continues to be deployed exclusively in the city of Port-au-Prince, which it patrols on a 24-hour basis, and to undertake the tasks mandated by the Security Council in its resolution 1063 (1996) and outlined in my predecessor's report of 12 November 1996 (S/1996/813/Add.1, paras. 6-8). During the reporting period, the mission's helicopters played a critical role on several occasions, both in ensuring the timely arrival of HNP crowd-control units - known as Compagnies d'intervention et de maintien de l'ordre (CIMOs) - at trouble spots around the country and in delivering voting material required for the senatorial and local elections. In addition, members of the military element worked with the staff of CEP and the technical assistance team of UNDP to plan the logistical and operational support for the first round of elections. UNSMIH military personnel continue to provide protection at the National Palace and at the residence of former President Aristide.

17. Members of the UNSMIH civilian police element are deployed in 10 detachments in the provinces and 5 in Port-au-Prince and they continue to accompany HNP officers in their day-to-day activities. For the last five months, a team of three young HNP officers has been receiving training in civic education and community policing at UNSMIH headquarters. The team is in the process of collecting information around the country on experience with community policing, with a view to developing a country-wide police training programme. The central training unit of the Mission's civilian police element continues to oversee instruction through its programme de formation continue, which of late has focused on conflict resolution, marksmanship, human rights and

police work, driving, immigration and narcotics. The civilian police element has also conducted refresher courses for Palace guards and it has trained 186 HNP officers to patrol the border.

18. In light of recent disturbances in the country, UNSMIH has worked intensively to strengthen the HNP crowd-control and rapid-intervention capabilities. To this end, simulation exercises have been conducted in Cap Haïtien and additional exercises are planned for other urban centres to provide the CIMO units with much-needed on-the-ground training. The Mission's police element has also continued to work closely with the HNP Directorate General in redeploying the force according to population density and patterns of criminal behaviour, but progress has been slow. The Mission's work with HNP and its collaboration with donors continue to benefit from its monthly meetings, chaired by President Préval, with the Directorate General, key government members, bilateral donors, UNDP and the Joint Organization of African States (OAS)/United Nations International Civilian Mission in Haiti (MICIVIH). While the civilian police element is now deployed in fewer locations, its presence remains critical in filling gaps in the HNP chain of command and in the force's transportation and communications capacity.

IV. HAITIAN NATIONAL POLICE

19. In his report of 12 November 1996 (S/1996/813/Add.1, para. 20), my predecessor pointed out that establishing a new police force is a complex, difficult and lengthy task, and he listed several elements which should be considered to help measure the results achieved. As the mandate of UNSMIH draws to a close, examining HNP against these criteria has proved useful in establishing priorities and identifying the force's future needs. A study conducted by UNSMIH in May of this year has shown significant advances, but has also highlighted a number of serious shortcomings that are particularly worrying as the end of the mandate draws near. For example, while there has been some progress in filling out the force's chain of command, the study has shown that there was no movement between the months of March and May. As this report is being prepared, HNP still lacks 49 of the senior officers known as commissaires, 162 inspecteurs and 292 of the upper-level officers known as agents 3 and 4. The civilian police element of UNSMIH has been working with the HNP leadership to help select 48 members of the existing force who will assume senior positions after undergoing training at the Academy. Additional officers will be recruited later. As mentioned above, a major redeployment of the force is being implemented and is now well advanced. As regards the capacity of HNP to manage its human and material resources, the force's oversight of its personnel, vehicles supplies and infrastructure has been reviewed and found to be the weakest link in its institutional development. The situation is made more severe by the scarcity of funds available to HNP, which can ill afford the continuing loss of its equipment through theft or mismanagement. Steps have also been taken to establish regional training centres, but a standard basic curriculum for all levels of agents has yet to be established. Work continues on promoting the community policing concept, which is well established in five of nine départements. Progress has also been made in installing a telecommunications system. All regional headquarters are now connected to Port-au-Prince and 32 of the 39 commissariats are connected to the capital.

However, very little improvement has been recorded in the capacity of HNP to maintain records or to establish a database of its own staff and equipment.

20. The UNSMIH study also examined in detail the progress achieved by the country's nine command centres (centres de renseignement et d'opérations) in each of the départements, as well as by the main centre at HNP headquarters. As regards the latter, it was found to be fully equipped and its staff trained and, with the necessary communications equipment installed, it is now almost fully operational. By contrast, wide disparities were found among the nine regional centres, which were frequently without telephone lines. Concerning HNP specialized units, which were examined for their development, level of training, personnel and equipment, the crowd-control units were found to have met more than half of their goals. With units in most major cities, the CIMOs have performed well when called upon to respond to disturbances. For example, CIMO units, along with other personnel, handled well a recent popular concert which drew large crowds in downtown Port-au-Prince; however, problems were noted in their handling of the teachers' strike mentioned in paragraph 12 above. The investigative department (police judiciaire) continues to lag. While some of its units are well equipped and their personnel adequately trained, it has only a limited number of fully operational units, and the lack of a criminal investigative capacity continues to be an impediment to the administration of justice. Some advance was noted in the traffic-control unit, which has now attained almost half of its goals.

21. The Inspector-General's office continues to be seized with a large number of allegations of breaches of proper police procedures, abuses of authority and human rights violations. In this regard, the office has moved quickly to investigate recent allegations of "extra-judicial" executions by HNP, and 18 officers, including one commissaire, were dismissed during the reporting period. This brought to over 100, including 12 commissaires, the number of dismissals since the establishment of the force in June 1995. However, the announced corps-wide performance survey intended to rid the force of those elements which do not adhere to its approach to public security has yet to be completed and is now long overdue. This review is essential if the credibility of HNP is to be established in the eyes of the population. It is also necessary to transfer to the courts without further delay the cases of those individuals who have committed prosecutable acts. In that regard, it should be noted that the poor state of the judicial system continues to be a serious obstacle to HNP effectiveness.

V. JUSTICE SYSTEM

22. As my predecessor and I have repeatedly stated, most recently in my report to the General Assembly on the situation of democracy and human rights in Haiti (A/51/935), Haiti's justice sector is ineffectual, it is not keeping pace with developments in the public security sector and is in need of a total overhaul. As a result of this situation, both the police and the population at large are becoming increasingly frustrated, each occasionally taking matters into its own hands in the face of the system's inability to administer justice. The number of cases of vigilante justice remains high: 66 since the beginning of 1997. HNP has been known either to let detainees go or to administer its own brand of

summary justice in the belief that the courts will not professionally process a case. HNP members detained in connection with crimes are not routinely turned over to the courts, a fact which impacts negatively on the efforts by the hierarchy to penalize wrongdoing. In the latest period of violence and unrest, the number of incidents involving abuse of authority and human rights violations by HNP rose, despite disciplinary measures by the Inspector-General. While prison administration has improved, there have recently been some examples of failure to take adequate steps to ensure the welfare of detainees, as cases in Hinche and Arcahaie illustrate.

23. Canada, France and the United States of America are sponsoring initiatives designed to promote judicial reform, often in close collaboration with MICIVIH. Yet, major structural and leadership weaknesses throughout the justice sector continue to impede the proper use of the support being offered. Months after its establishment, a commission named to craft a global strategy for judicial reform is still striving to develop a coherent approach. Meanwhile, a bill on judicial reform introduced in September 1996, was passed by the Senate on 10 July 1997 and is now before the Chamber of Deputies. The judicial training school remains under-utilized, although courses are expected to resume in the fall. There is general agreement on the urgent necessity to professionalize and modernize Haiti's justice sector. It is, however, a long-term undertaking that requires consensus and continuity.

VI. DEVELOPMENT ACTIVITIES

24. The decision-making process and the execution capacity of the Government have been further weakened by the splintering of the Lavalas movement. As a consequence, several fully financed projects and programmes have not yet been initiated, and large amounts in external financing remain available. However, if the considerable decline in disbursements experienced in 1996 is not reversed in 1997, the economic recovery, which could be stimulated through public investment, will be delayed yet again, probably until next year.

25. Even though the rate of inflation has declined to slightly above 10 per cent and the exchange rate has been comparatively stable, private investors remain cautious. Only in the service and residential construction sectors are private investments increasing. These, however, are not sufficient to provide impetus to the economy as a whole. Unemployment and underemployment are believed to hover around 70 per cent, and new employment opportunities remain very limited. With some 70,000 Haitians joining the labour force each year, family incomes stagnating and prices of basic commodities rising, social pressure continues to increase steadily, as does the resulting potential for conflict.

26. Development cooperation efforts remain strong. Despite the slow-down in disbursements noted above, there have been substantial additional commitments by international financial institutions and by multilateral and bilateral donors. The execution of UNDP projects, which increased fourfold in 1995 following the end of economic sanctions, increased further in 1996 and is expected to reach a record level this year. Likewise, commitments are at an all-time high, totalling more than US$ 20 million in 1997. While UNDP focuses on governance,

socio-economic and environmental projects and programmes still absorb about half of its financial resources. The majority of such programmes are executed by, or in close collaboration with, agencies of the United Nations system and the Bretton Woods institutions. At the field level, coordination of the activities of the United Nations system, in which the Bretton Woods institutions and the International Organization for Migration regularly participate, has been enhanced by the combining of the functions of Deputy Special Representative of the Secretary-General and Resident Coordinator of UNDP. Moreover, the active participation of my Special Representative in the monthly coordination meetings of the United Nations system has strengthened inter-agency cooperation even further.

VII. OBSERVATIONS AND RECOMMENDATIONS

27. With the support of the international community, including the United Nations, Haiti has taken significant strides forward. For the first time in its history, a peaceful hand-over of power between two democratically elected presidents took place in February 1996, when President Préval assumed office; several election rounds have been held without violent incidents; and the fledgling police force, which is making progress towards the day when it can alone assume public security functions, is already having a positive effect on security in the country: compared to 1995, the average number of homicides committed monthly in 1997 has decreased. Furthermore, the Haitians have clearly rejected arbitrariness and authoritarianism. The years of dictatorship are over and the former military have now been weakened to a point where their return to power appears highly unlikely.

28. Haiti continues to face daunting political and economic challenges. In the short term, a new cabinet must be formed and the electoral crisis overcome to allow Parliament and local assemblies to function effectively. Reforms needed to strengthen democratic institutions, generate economic growth and create jobs require a basic consensus among Haitians that has yet to be built.

29. In the long run, sustainable development will not be achieved without significant international assistance, based on a widely supported action plan. To secure and harness this assistance, UNDP has sponsored the "Haiti 2012" initiative, by which some 30 objectives to be attained in 15 years in the economic, social and institutional sectors are soon to be identified by 250 Haitian participants. These objectives and the ensuing framework should provide direction for national and international development efforts. I hope that this initiative, which would benefit from a broader base of support, will meet with success.

30. UNDP has begun strengthening its office in Haiti in order to support national development efforts better and to be ready to assume additional institution-building tasks presently carried out by UNSMIH and MICIVIH. It has recently signed an agreement with the Government of Haiti that aims to increase the absorptive capacity of the administration by providing additional expertise in the design and execution of development projects. With regard to technical assistance for the institutional development of HNP, transfer to UNDP of the

voluntary fund established under resolution 975 (1995) is under way. Technical assistance to judicial reform will be required over the medium and long term.

31. It will be recalled that in his report of 5 June 1996 (S/1996/416, para. 19), my predecessor stated that training of HNP in specialized fields such as criminal investigation, narcotics and crowd control was not expected to be completed before the end of 1997. Although progress has been made in the establishment of the new police force, as well as in the above-mentioned fields, it has been slow and uneven. Furthermore, some Haitians fear that the young police force might be manipulated by certain political groups, for which there is precedent. I share the view of Haiti's political leaders that, without steady and long-term support from the international community, the force might not be able to cope with serious incidents, risking deterioration in the security situation.

32. As mentioned in paragraph 11 above, in spite of sporadic demonstrations and a few calls for the withdrawal of the "occupation force", recent contacts held in Port-au-Prince by Under-Secretary-General Miyet, my Special Representative and high-level representatives of the group of "Friends of the Secretary-General" have confirmed that the UNSMIH international military presence has a stabilizing effect on Haiti, especially at this time when the country is experiencing serious political turmoil. But it is up to the Haitian authorities to dedicate their efforts and to channel their resources and time towards resolving constructively and in a timely manner the important and pressing issues that the country is facing.

33. On 24 March, I reported to the Security Council that in order to ensure the continued institutional development of the police force, the mandate of UNSMIH should be extended for a final time until 31 July 1997. In keeping with that decision, I am preparing to withdraw the Mission by the end of July. Yet, ending the United Nations presence at this time might well jeopardize the significant progress achieved by Haiti with the assistance of the international community. Therefore, I share the views expressed by President Préval in his public statement of 14 May 1997 that the full 12 months he requested in his 13 November 1996 letter to my predecessor (see S/1996/956, annex) will be necessary for HNP to be able to ensure a secure and stable environment without international support.

34. Against this background, I recommend that the Security Council examine carefully the facts given in the present report in order to decide upon the maintenance of a United Nations support of HNP for a period of four months. Were this to be agreed, the Security Council could establish a new mission to be known as the United Nations Transition Mission in Haiti (UNTMIH), the mandate of which would be to support the Haitian authorities in the further professionalization of HNP. My Special Representative would continue to coordinate the activities of the United Nations system to promote institution-building, national reconciliation and economic rehabilitation.

35. If the Security Council approves such a mandate, and bearing in mind that countries contributing the majority of the civilian police element are not prepared to deploy their officers without appropriate military backing, the new Mission should be composed of military and civilian police elements.

36. Mindful of the financial crisis in which the United Nations currently finds itself, as well as of the unpaid contributions to the United Nations Mission in Haiti (UNMIH)/UNSMIH special accounts, and conscious of the need to reduce the strength of the United Nations presence in Haiti, I recommend that the United Nations-assessed strength of the new Mission be substantially reduced - the civilian police element from 300 to 250 officers and the military element from 500 personnel to a military headquarters staff of 50.

37. In view of the progress achieved so far by UNSMIH, the primary task of the military element would be to support the activities of the United Nations civilian police, and some of its earlier tasks would be gradually discontinued. The 50 headquarters personnel would be supplemented by contingents provided by Canada and Pakistan and funded by voluntary contributions. In that regard, the Governments of Canada and the United States of America have expressed their readiness to continue to make the necessary financial contributions.

38. During the forthcoming four months, the civilian police element would gradually shift its tasks to the training of three of the HNP specialized units - crowd control, the rapid reaction force and Palace security - which are considered of distinct importance. Once reinforced, these units would considerably improve the force's effectiveness while it pursues its own development. The Mission and UNDP would also continue to prepare a technical assistance programme, which would be financed by the voluntary fund established under resolution 975 (1995). The envisaged programme aims to provide HNP with top-level law enforcement expertise over the next three years. In that regard, I wish to take this opportunity to thank those who have contributed to the fund. I also wish to reiterate my appeal to Member States to consider contributing to the fund and to do all they can to support the technical assistance programme.

39. Consultations would have to be held with the Haitian authorities regarding the status-of-forces agreement. The agreement concluded between the Government of Haiti and the United Nations regarding UNMIH and UNSMIH might be applied to the new Mission, taking into account the different mandate of the latter. The UNTMIH rules of engagement would be defined in accordance with its mandate. In keeping with normal practice, these rules will authorize the use of force in exercise of the right of self-defence, including opposing forcible attempts to impede the discharge of the Mission's mandate, bearing in mind the situation on the ground as determined by my Special Representative in consultation with the Commander of the military element of the Mission and in close cooperation with President Préval and his Government.

40. Should Security Council members agree with my recommendations, I shall submit as soon as possible, in an addendum to the present report, a statement of the financial implications of my proposals.

41. Should the Security Council authorize the deployment of UNTMIH, the expiration of the peacekeeping mandate on 30 November 1997 would not mean the termination of United Nations involvement in Haiti. Indeed, it will be important for the international community to continue to assist the activities of the Government of Haiti aimed at the strengthening of democratic institutions, as well as to maintain a strong support to the building of a professional police force. A follow-on presence in order to provide advice and

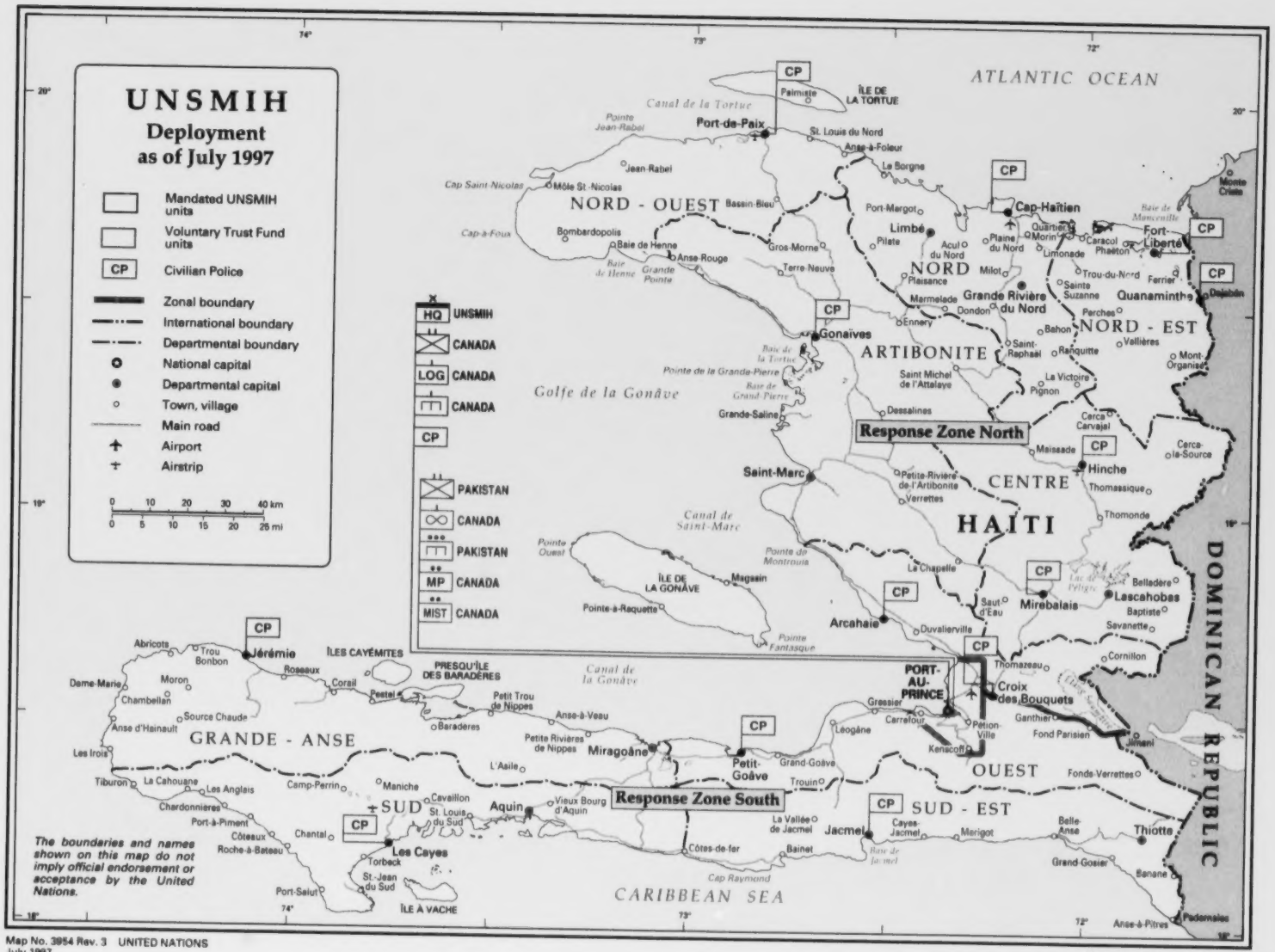
active support in the fields of public security and judicial reform, as well as in the monitoring of human rights, will be required for at least the medium term. Special attention would also have to be paid to the country's growing problem in drug trafficking, for which it might be useful to benefit from the expertise of the United Nations International Drug Control Programme. In this context, I will make further recommendations on the modalities of international assistance after 30 November 1997. The political support of the international community for these United Nations activities, which constitute peace-building in its best sense, will be essential.

42. In concluding this report, I would like to commend the troops, civilian police officers and international civilian personnel, who performed their duties under challenging circumstances. Throughout the mandate of UNSMIH, my Special Representative, Mr. Enrique ter Horst, the Force Commander, Brigadier-General Pierre Daigle and the Civilian Police Commissioner, Colonel Robert Pigeyre, have provided distinguished leadership to the Mission.

Annex

Composition and strength of UNSMIH military and civilian police elements as of 10 July 1997

Nationality	Military			Civilian police
	Operational	Headquarters	Voluntarily funded	
Algeria				14
Benin				10
Canada	422	34	300	62
France				44
India				3
Mali				38
Pakistan	25	19	500	
Togo				7
United States of America				47
Total	447	53	800	225
Grand Total	500		800	225



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28 July 1997

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REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS SUPPORT MISSION IN HAITI

Addendum

1. In paragraph 40 of my report to the Security Council dated 19 July 1997 (S/1997/564), I indicated that I would submit, as soon as possible, an addendum to the report which would contain a statement of the financial implications of the United Nations Transition Mission in Haiti (UNTMIH).

2. The estimated costs associated with the operation of UNTMIH for a period of four months, from 1 August to 30 November 1997, would amount to $10.1 million. This estimate provides for a strength of 50 military personnel and 250 civilian police.

3. A breakdown of the estimated financial requirements is provided by main categories of expenditure, for information purposes, in the annex to the present addendum. Should the Security Council decide to authorize the deployment and implementation of the United Nations Transition Mission in Haiti, it would be my recommendation to the General Assembly that the costs relating thereto should be considered an expense of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations and that the assessments to be levied on Member States be credited to a special account established for this purpose.

4. The operating costs of the United Nations Support Mission in Haiti (UNSMIH) from inception to 30 June 1997 amounted to $56.1 million. As at 15 July 1997, amounts totalling $51.5 million have been assessed on Member States for the period from 1 July 1996 to 31 May 1997. Unpaid assessed contributions to the special account for UNSMIH for the same period amounted to $19.2 million. The total outstanding assessed contributions for all peacekeeping operations amounted to $1.6 billion.

Annex

Estimated cost of the United Nations Transition Mission in Haiti for the period from 1 August to 30 November 1997

		(Thousands of United States dollars)
1.	Military personnel	800
2.	Civilian personnel	6 600
3.	Premises/accommodation	220
4.	Infrastructure repairs	-
5.	Transport operations	300
6.	Air operations	810
7.	Naval operations	20
8.	Communications	120
9.	Other equipment	120
10.	Supplies and services	550
11.	Election-related supplies and services	-
12.	Public information programmes	30
13.	Training programmes	-
14.	Mine-clearing programmes	-
15.	Assistance for disarmament and demobilization	-
16.	Air and surface freight	80
17.	United Nations Logistics Base at Brindisi	-
18.	Support account for peacekeeping operations	-
19.	Staff assessment	450
	Total, lines 1-19	10 100

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21 July 1997
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ORIGINAL: ARABIC

LETTER DATED 19 JULY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 18 July 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq. The letter concerns the provocative and hostile acts committed by United States and other warplanes and warships during the period 1 January to 30 June 1997. These craft violated Iraqi airspace and territorial waters, searched Iraqi vessels inside Iraqi territorial waters and terrorized the peaceful inhabitants of Iraqi towns.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 14 July 1997 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I refer to my letter of 9 January 1997 (S/1997/28, annex), which contained detailed information on the hostile actions undertaken by United States and other aircraft while violating Iraqi airspace from military bases in Saudi Arabia and Kuwait between 1 July and 31 December 1996. That letter also gave examples of provocative actions carried out by United States and other warships inside the territorial waters of the Republic of Iraq during the same period.

I should like in the present letter to alert you to the fact that between 1 January and 30 June 1997 United States and other warplanes continued to violate the airspace of the Republic of Iraq from military bases in Saudi Arabia and Kuwait and to engage in such hostile, provocative and inflammatory actions as the dropping of heat flares in civilian areas and on civilian installations in Iraq. A number of United States and other warships also provoked Iraqi civilian vessels inside Iraqi territorial waters. These incidents, examples of which are set forth hereunder, were reported to the United Nations Secretariat and documented by us at the time they first occurred.

1. At 1500 hours on 12 January 1997 a number of United States warplanes dropped five incendiary heat flares 10 kilometres to the south of Dohuk in northern Iraq, terrorizing the citizens of that region.

2. At 1300 hours on 14 January 1997, four miles to the south of Mina' al-Bakr, a United States frigate searched the Iraqi fishing boat Shatt al-Arab. At 1410 hours on the same day, the men from the United States frigate departed, having searched the fuel and water tanks and every other part of the boat.

3. On 14 February 1997 a Saudi Arabian helicopter violated Iraqi airspace in Muthanna Governorate. At 1300 hours on 15 February 1997 a similar violation was committed, 4 kilometres inside the Iraqi borders.

4. At 1915 hours on 16 February 1997 six Saudi Arabian helicopters violated Iraqi airspace in the area between Makhfari (Faris) and Safawi to a depth of 4 kilometres.

5. At 0100 hours on 28 February 1997 a helicopter from the United States frigate FFG 40 flew over the Iraqi dredger Najaf in the Shatt al-Arab 11 kilometres to the south-east of Ra's al-Bisha, inside Iraqi territorial waters. The master of the dredger was ordered to cast anchor, and at 0710 hours of the same day the aforementioned United States frigate carried out a search of the dredger which continued until 1020 hours.

6. At 2035 hours on 6 March 1997 a United States helicopter repeatedly hovered very low over the Iraqi tug Hit in the Shatt al-Arab channel inside Iraqi territorial waters.

7. At 0735 hours on 9 March 1997 a Kuwaiti helicopter flew very low over the Iraqi tug Hamdan near buoy No. 15, and carried out provocative actions against the tug.

8. At 0800 hours on 19 March 1997 United States frigates FFG 33 and FFG 40 carried out manoeuvres to the south of Mina' al-Bakr. At 1030 hours on the same day a United States helicopter overflew Iraqi boats near buoy No. 5. A United States helicopter then overflew the Iraqi fishing boat Diyala in the same position inside Iraqi territorial waters.

9. At 1900 hours on 15 April 1997 a United States naval helicopter flew over the area near buoy No. 13 inside Iraqi territorial waters.

10. At 1300 hours on 17 April 1997 a helicopter armed with two rockets from the United States frigate Halyburton positioned south of the port of al-Bakr and the deep-water port flew very low over an Iraqi patrol boat near buoy No. 15.

11. At 1850 hours on 21 April 1997 a United States naval helicopter flew very low over the area near buoy No. 13 inside Iraqi territorial waters, then flew off towards the Kuwaiti coast.

We condemn these acts of aggression and provocation by the United States and others, and we request you to intervene with the countries in question, as is required of you in accordance with the responsibility entrusted to you under the Charter of the United Nations, with a view to halting and preventing any recurrence of such violations and unwarranted acts of aggression. The countries whose aircraft and ships carry out these acts and those in which the aircraft are based are to be held fully accountable for them, for the damage they cause and for the threats of a security-related, economic and moral nature that they pose to Iraq and the Iraqi people.

I likewise affirm the legally established right of the Republic of Iraq to compensation for the material and other damage inflicted on it by the commission of acts that are in violation of the Charter of the United Nations and the provisions of international public law, in accordance with the principle of State responsibility.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/566
21 July 1997

ORIGINAL: ENGLISH

LETTER DATED 21 JULY 1997 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith the statements of the spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea and the spokesman for the Panmunjom Mission of the Korean People's Army, issued on 18 July 1997, with regard to the recent armed conflict on the military demarcation line of the Korean peninsula.

I would be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) KIM Chang Guk
Ambassador
Chargé d'affaires a.i.

97-20006 (E) 210797

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Annex

Statement of the spokesman of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea, issued on 18 July 1997

The United States of America took issue with the Democratic People's Republic of Korea on the recent armed conflict that took place on the military demarcation line in the central sector of the front on 16 July.

No sooner had the incident occurred than the White House and the Department of State and the Department of Defense of the United States slandered the Democratic People's Republic of Korea, alleging that the responsibility for the recent incident rested with the Democratic People's Republic of Korea, and the Senate hurriedly passed a "bill" demanding the "reservation" of the delivery of the funds concerning light water reactors.

Their behaviour is so strange that it cannot be understood nor pardoned at all.

As already reported, the recent incident is, in essence, a part of the current reckless provocation moves of the south Korean chief executive to look for a way out of a most serious ruling crisis in a shocking incident and to delay his doomed life.

The United States, as the master, must have known the plight of its stooge clearly.

This notwithstanding, it has joined the south Korean authorities in hurling mud at the Democratic People's Republic of Korea before the United States forces present in south Korea finished a "joint investigation". This cannot be considered to be merely a rash and irresponsible attitude.

Both the Democratic People's Republic of Korea and the United States are to have preliminary negotiations for the "four-way talks" on 5 August.

It goes without saying that the south Korean chief executive, who is doomed to ruin, may be indifferent to the "four-way talks" and inter-Korean dialogue.

Just at this time, the United States slandered the system of the Democratic People's Republic of Korea, the partner of dialogue, getting on its nerves, thus amplifying our doubt about and vigilance against the real intention of the United States as regards the "four-way talks".

We will keep our eyes upon the United States attitude from now on.

Annex

Statement of the Spokesman for the Panmunjom Mission of the Korean People's Army, issued on 18 July 1997

As reported, the south Korean puppet army committed a serious and provocative military act against us in the area near the military demarcation line in front of Chonam-ri, Phyonggang County, Kangwon Province, on 16 July.

On that day, our People's Army soldiers were on their routine patrol duty along a narrow path in the area of our side of the demilitarized zone.

At around 10.50 a.m., the south Korean puppet army, in an already prepared script, suddenly fired shells and bullets after making it appear as if our soldiers went over the central military demarcation line.

At the same time, the enemy fired several thousand shells and bullets at a post on our side by mobilizing 90 mm recoilless guns and 12.7 mm large-calibre machine guns.

As a result, many of our soldiers were severely injured and part of the building of the post of our side was destroyed.

Our People's Army soldiers could not repress their indignation over the prevailing situation and lost no time in taking self-defensive action and showered a fire of revenge on the enemy.

In a moment, several enemy pillboxes and recoilless gun positions were demolished.

Thanks to the utmost patience of our side, the armed conflict between both sides came to an end with difficulty at about 11.50 a.m.

No sooner had the incident occurred than the south Korean puppets began a smear campaign, claiming that we provoked the incident.

What cannot be overlooked is that the United States is patronizing and defending the south Korean authorities.

The United States is mistaken if it thinks it can conceal the provocateur by such a shabby plot in this age of civilization, shift the blame on to somebody and fish in troubled waters.

Our People's Army soldiers are anxious to retaliate against the enemies with seething indignation.

It is the disposition of our army to administer stick for stick.

The United States and the south Korean puppets should not be any longer in drawing their serious lesson from the current incident.

If the enemies commit a provocative act against us again, we will deal a greater annihilating retaliatory blow at the aggressors any time, any place and whoever they may be, so that they will die a disgraceful death.

The United States side is also to blame for this armed conflict.

Such a dramatic development as the current incident could be avoidable if the United States would not leave the maintenance of the demilitarized zone entirely to the south Korean puppets, insisting only on new war provocation, while neglecting our proposal for establishing an interim agreement that can replace the obsolete Korean Armistice Agreement, and for Democratic People's Republic of Korea/United States military general-level talks.

As long as the present old Armistice system remains unchanged, peace and security can by no means be guaranteed on the Korean peninsula.

The United States and the south Korean authorities must clarify their position toward peace and war.

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/52/254
S/1997/567
21 July 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Items 81, 112 and 114 of
the provisional agenda*
MAINTENANCE OF INTERNATIONAL SECURITY
ELIMINATION OF RACISM AND RACIAL DISCRIMINATION
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-second year

Note verbale dated 17 July 1997 from the Permanent Mission of Albania to the United Nations addressed to the Secretary-General

The Permanent Mission of the Republic of Albania to the United Nations presents its compliments to the Office of the Secretary-General and has the honour to enclose herewith a copy of the letter from the Minister for Foreign Affairs of the Republic of Albania, Mr. Arjan Starova, addressed to the Secretary-General. The Permanent Mission of the Republic of Albania to the United Nations also has the honour to request that the above-mentioned letter be distributed as a document of the General Assembly, under items 81, 112 and 114 of the provisional agenda, and of the Security Council.

* A/52/150.

97-20000 (E) 210797

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ANNEX

Letter dated 16 July 1997 from the Minister for Foreign Affairs of Albania addressed to the Secretary-General

I am writing you about an urgent matter that has caused deep concern to the entire Albanian nation. For more than one week, the Albanians in a number of cities and municipalities in the former Yugoslav Republic of Macedonia have been subjected to widespread military and police brutality and the systematic use of violence. Since 9 July, the cities of Tetova, Gostivar, Dibra and other important municipalities like Kumanova and Likova, which are predominantly inhabited by Albanians, have been undergoing an unprecedented military presence, and their inhabitants are suffering maltreatment. The Macedonian military and special forces have indiscriminately used their truncheons and fire weapons in attacks against Albanian civilians gathered to protest peacefully against a recent decision of the Macedonian Parliament. According to reports, some Albanians have been killed and hundreds wounded, most of them with severe injuries. Around 500 Albanians have been arrested or detained, and most of them were tortured while in custody. The Macedonian authorities have also arrested some of the elected Albanian municipal officials.

This brutal intervention was preceded by the violent removal of the Albanian national flag from the municipal buildings of some cities, following the adoption by the Macedonian Parliament of a law on the use of flags. During those interventions, the municipal offices were raided by special forces, which damaged equipment and destroyed documentation.

The Republic of Albania condemns this unprecedented act of brutality against Albanians in the former Yugoslav Republic of Macedonia. It is the conviction of the Albanian Government that the large-scale violence used against defenceless civilians was a premeditated act against the Albanian population in the former Yugoslav Republic of Macedonia. It is relevant to note, in this context, that large military forces, heavily armed and equipped police, committed these brutal acts of violence only hours after the adoption of the law on the use of flags. The law had not yet entered into force. According to the Macedonian constitution, that law needed eight days after the moment of its adoption to come into effect. This exceptional and excessive use of force against Albanian civilian protesters, which was obviously unnecessary, was an intentional show of force. It aimed to suppress any peaceful and democratic attempt at equality and justice for the Albanian population. The Macedonian actions stand in a background of discrimination against the Albanian population. Their aspirations for education in the Albanian language, a basic right recognized in international human rights instruments, has been violently opposed by the Macedonian authorities, who continue to ban university education in their mother tongue for the Albanians.

Albania and Albanians are trying to give their contribution to peace and stability in the still-turbulent Balkan region, but no durable stability can be based on absurd considerations to the detriment of the vital interests of the Albanians for equality, peace and justice.

The recent excessive and unnecessary use of force against the Albanians in the former Yugoslav Republic of Macedonia strikes a serious blow to the efforts for enhanced regional stability. It is essential to understand that the full integration and equal participation of the Albanian population in the life of that country is crucial for its durable stability and for the very existence of the former Yugoslav Republic of Macedonia.

The Government of Albania expresses its concern at the indifference of the international community towards the recent use of violence against the Albanians in the former Yugoslav Republic of Macedonia. It should be expected that the United Nations and the relevant regional organizations should condemn the excessive use of force against the Albanians.

I invite you to instruct the Commander of the United Nations Preventive Deployment Force (UNPREDEP) to provide you with an overall report on the recent brutal events in the former Yugoslav Republic of Macedonia. I hope that after your evaluation of such a report it could be presented by you to the Security Council followed by your recommendations.

I also wish to encourage the Security Council to send a mission to the former Yugoslav Republic of Macedonia, composed of its members and representatives of States that are contributing troops to UNPREDEP, in order to gain first-hand information on the situation. We expect that the Security Council will continue to discharge its responsibilities in the region.

(Signed) Arian STAROVA
Minister for Foreign Affairs of Albania

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/568
21 July 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 20 JULY 1997 FROM THE PERMANENT REPRESENTATIVE OF HAITI TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to the letter dated 13 November 1996 which President René Préval addressed to your predecessor in connection with the mandate of the United Nations Support Mission in Haiti (UNSMIH) (S/1996/956, annex). In that letter, President Préval indicated that, "according to estimates by the Government and UNSMIH experts, it would take eight to twelve months for the Haitian National Police to be able to ensure a secure and stable environment".

In that context, the Security Council decided to extend the mandate of UNSMIH for an additional eight months, ending on 31 July 1997. Thanks to the assistance which UNSMIH has provided to it during this period, the Haitian Government has been able to pursue efforts aimed at setting up an effective National Police Force, capable of maintaining security and stability in the country. Significant progress has been achieved.

However, the length of the mandate, which corresponds to the minimum estimated, has proved to be insufficient to enable the Government to achieve the set objectives. Important tasks have still to be accomplished in order to strengthen the National Police and render it fully operational. In that regard, the contribution of UNSMIH remains essential.

Furthermore, in accordance with the instructions that I have received, I urge you to request the Security Council to extend the current mandate of UNSMIH to cover the 12 months that were estimated.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Pierre LELONG

97-20012 (E) 210797 210797

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/569
22 July 1997

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling that maintenance of international peace and security is one of the purposes of the United Nations as set forth in the Charter,

Noting the essential role of United Nations peacekeeping operations in the maintenance of international peace and security,

Recalling also the presentation in 1988 of the Nobel Peace Prize to the United Nations peacekeeping forces,

Recognizing the sacrifice of those who have lost their life in the service of United Nations peacekeeping operations,

Remembering the more than 1,500 individuals from 85 countries who have died in United Nations peacekeeping operations,

1. Decides to establish the Dag Hammarskjöld Medal as a tribute to the sacrifice of those who have lost their life as a result of service in peacekeeping operations under the operational control and authority of the United Nations;

2. Requests the Secretary-General to establish, in consultation with the Security Council, criteria and procedures for bestowing and administering this Medal;

3. Requests Member States to cooperate, as appropriate, with the presentation of this Medal.

97-20058 (E) 220797

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/51/947
S/1997/570
21 July 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda items 109 and 110
RIGHT OF PEOPLES TO SELF-DETERMINATION
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-second year

Letter dated 21 July 1997 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith for your information a letter dated 18 July 1997 addressed to you from Prince Norodom Ranariddh, First Prime Minister of the Royal Government of Cambodia, concerning the bloody coup d'état launched on 4 and 5 July 1997 by Second Prime Minister Samdech Hun Sen against the democratically elected First Prime Minister.

I would be deeply grateful to you if you would kindly circulate the text of the present letter and its annex as a document of the fifty-first session of the General Assembly, under agenda items 109 and 110, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador Extraordinary and Plenipotentiary
Permanent Representative

97-19994 (E) 210797

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ANNEX

Letter dated 18 July 1997 from the First Prime Minister of Cambodia addressed to the Secretary-General

I have the honour to express my deep gratitude for your concern over the situation in my country and your leadership in the efforts to find a peaceful solution to the current political crisis in Cambodia. I am deeply gratified to you for receiving me on Thursday, 10 July, at United Nations Headquarters, and sharing with me your views on the matter.

As you are well aware, the crisis is far from over. As I write this letter, the members of the Association of South-East Asian Nations are working diligently to bring the situation back into the framework of the 1991 Paris Peace Agreements.

May I be permitted to clarify a number of issues in the development of the crisis to place the situation in the proper context:

1. The main reason advanced by the authors of the brutal "coup d'état" against me, the legally elected First Prime Minister as the result of a United Nations-organized and supervised election, as contained in a letter dated 8 July 1997 to you from Samdech Chea Sim, the President of the Cambodian's People's Party and Chief of State a.i., was the "penetration of illegal forces, above all, hardcore and hardline armed Khmer Rouge solders" in and around Phnom Penh. United Nations human rights workers investigating the claim have declared today that they found no evidence to support such a claim. As the co-Commander-in-Chief of the Royal Cambodian Armed Forces, I had no knowledge, nor was I informed by my coalition partners, of any Khmer Rouge infiltrations. Samdech Hun Sen alone issued such an order, and not I, and he then again violated the Joint High Command's order. As Head of State a.i., Samdech Chea Sim should not have taken side on this issue.

2. The authors of the coup also claimed that "these preventive actions made by the Royal Government have been decided to defend the Constitution of the Kingdom of Cambodia and the achievements obtained since the general elections of 1993". It is needless for me to refute this claim by the coup leaders, as the entire world has been informed by the media and international aid workers of the barbaric behaviour of armed partisans of the Cambodian People's Party. As many as 40 people have died in the capital of Phnom Penh alone, many of them after having been tortured. The entire capital has been looted by the partisans of the Cambodian People's Party, who behaved worse than conquerors in a conquered land.

3. The authors of the "coup" further accused me and my followers of having "joined hands with the outlawed Khmer Rouge"; however, no evidence has been produced to substantiate this claim.

4. Samdech Chea Sim's letter made reference to the fact that "the Prince has chosen his way, away from the motherland and the Cambodian people". I wish to inform you that I was scheduled to leave Cambodia for France later in the

afternoon of 5 July 1997, but was convinced to leave earlier by my military advisers and the late General Ho Sok, who were aware of an imminent coup against me and feared for my life. Subsequent events in Phnom Penh confirmed the fear of my aides that had I stayed, I would surely have been assassinated.

5. Samdech Hun Sen himself fled the country before he ordered the coup d'état and was reported to be in Hanoi, as confirmed by the Vietnamese Foreign Ministry. He never told anybody where he had gone. Only after the victorious coup did he return to Phnom Penh. All the video tapes shown on national television were pre-recorded before Samdech Hun Sen's departure for Viet Nam.

6. Samdech Chea Sim informed you that a "state of normalcy has returned" in Cambodia. Reports from Phnom Penh and other parts of Cambodia suggest otherwise. Armed partisans of the Cambodian People's Party continue to hunt down and persecute members of the Funcinpec Party, the Buddhist Liberal Democratic Party, the Khmer Nation Party and other opposition parties. To date, as many as 29 members of the Cambodian Parliament and numerous government officials not belonging to the Cambodian People's Party or not cooperating with it, have fled for their lives to neighbouring countries. Others are still in hiding and waiting for the opportunity to cross the border as well.

7. Finally, I would be deeply grateful to you if your Special Representative on Human Rights in Cambodia, Mr. Thomas Hammerberg, would investigate the killings and torture in custody committed by the order of Samdech Hun Sen against Funcinpec cadres, and report it to you and to the Third Committee and the plenary meeting of the General Assembly at its fifty-second session. These endless crimes of political harassment, intimidation and threat continue to this present day.

(Signed) NORODOM Ranariddh
First Prime Minister

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/571
22 July 1997

ORIGINAL: ENGLISH

LETTER DATED 17 JULY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that, following the briefing of the Security Council on 25 June 1997 by the Under-Secretary-General for Political Affairs on the role and structure of the United Nations in the Great Lakes region, I have decided to appoint Mr. Robin Kinloch as my Special Representative for the Democratic Republic of the Congo.

Mr. Kinloch (United Kingdom of Great Britain and Northern Ireland) is currently Director of the Office of Human Resources in the United Nations Development Programme (UNDP) in New York. From 1991 to 1993, Mr. Kinloch was the Deputy Director of the UNDP Africa Bureau, and from 1984 to 1987 he was the United Nations Resident Coordinator and UNDP Resident Representative in Zaire (now the Democratic Republic of the Congo).

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-20076 (E) 220797

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/572
22 July 1997

ORIGINAL: ENGLISH

LETTER DATED 22 JULY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 17 July 1997 (S/1997/571) regarding your decision to appoint Mr. Robin Kinloch (United Kingdom of Great Britain and Northern Ireland) as Special Representative of the Secretary-General for the Democratic Republic of the Congo has been brought to the attention of the members of the Security Council. They welcome the decision contained in your letter.

The members of the Security Council express their full support for the Special Representative in the fulfilment of his tasks.

The members of the Security Council look forward to being kept closely informed of the work of the Special Representative.

(Signed) Peter OSVALD
President of the Security Council

97-20082 (E) 220797

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/573
22 July 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 22 JULY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 21 July 1997 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning violations of Iraqi airspace by the United States U-2 spy plane, and calling for the United Nations to re-examine the question of this aircraft, which is being employed by the United States of America in a coercive manner to violate Iraq's airspace and to spy on Iraq for purposes other than those of the Special Commission.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-20117 (E) 230797 230797

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Annex

Letter dated 21 July 1997 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

We refer to our letter dated 3 June 1997 addressed to the President of the Security Council concerning the violation of Iraq's airspace by the United States U-2 spy plane on the pretext of carrying out an aerial survey for the Special Commission (S/1997/431, annex).

We should like to inform you that this aircraft, which takes off from Saudi territory, has continued its invasions and penetrations of Iraq's airspace in violation of the country's sovereignty and security. As of the end of June 1997 it had made 365 overflights, for a total flight time of 1,615 hours and 44 minutes, since its first overflight in August 1991.

The facts that have come to light since this aircraft was first brought into use, which are set forth in our aforementioned letter, and the ill repute the aircraft has acquired from its past espionage activities in various parts of the world, make it incumbent upon the United Nations to re-examine the question of using an aircraft that is being employed by the United States of America in a coercive manner to violate Iraq's airspace and to spy on Iraq for purposes other than those of the Special Commission. The declared policy of this hostile country is to conspire to change the national political regime in Iraq, as has been confirmed in successive statements by United States officials and most recently in the remarks made on 27 May 1997 by Bruce O. Riedel, Special Adviser to the United States President and Senior Director for Near Eastern and South Asian Affairs at the National Security Council. Such policies are totally incompatible with the purposes and principles of the Charter of the United Nations as they relate to the sovereignty of all Member States and non-intervention in their internal affairs.

We condemn these unjustified violations of our airspace and take this opportunity to reaffirm the request we have consistently made in the 122 letters we have addressed to the Secretary-General of the United Nations on this matter, namely that Iraqi aircraft should be used instead of foreign aircraft in the work of the Special Commission in order to exclude any possibility of such aircraft being used for purposes prejudicial to Iraq's sovereignty and security.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/574
22 July 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 22 JULY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States aircraft continued over the period 1 to 15 July 1997 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation, as set forth in the annex hereto.

You are requested to intervene with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and the provisions of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State by these actions.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

97-20111 (E) 230797 230797

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Annex

Details of violations of Iraq's airspace and damage caused, 1-15 July 1997

1. In the northern region 101 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Mosul, Irbil, Dohuk, Tall Afar, Amadiyah, Zakho, Aqrah, Mosul north, Badush, Talkif, Sharanish, Ayn Zalah, Batufah and Muhallabiyah.

2. In the southern region 431 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Amarah, Basra, Maymunah, Chabaish, Artawi, Amarah, Kut, Rifa'i, Hayy, Busayyah, Qala't Sukkar, Batha', Shinafiyah, Qurnah, Lasaf, Rumaythah, Jabal Sanam, Safwan and Hamzah.

3. On 11 occasions United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated the Republic of Iraq's airspace in the southern region before leaving in the direction of Kuwait.

4. At 1430 hours on 7 July 1997 United States aircraft dropped two heat flares over the region of Fayidah in Dohuk Governorate.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/575
24 July 1997

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General on the United Nations Interim Force in Lebanon of 16 July 1997 (S/1997/550 and Corr.1) and taking note of the observations expressed and the commitments mentioned therein,

Taking note of the letter dated 10 July 1997 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General (S/1997/534),

Responding to the request of the Government of Lebanon,

1. Decides to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is until 31 January 1998;

2. Reiterates its strong support for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

3. Re-emphasizes the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978 (S/12611), approved by resolution 426 (1978), and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. Condemns all acts of violence committed in particular against the Force, and urges the parties to put an end to them;

5. Reiterates that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

6. Encourages further efficiency and savings provided they do not affect the operational capacity of the Force;

7. Requests the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/576
24 July 1997

ORIGINAL: ENGLISH

LETTER DATED 21 JULY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the composition of the United Nations Peacekeeping Force in Cyprus (UNFICYP).

The Governments of Austria and Slovenia have proposed that a small number of Slovene personnel be included in the primarily Austrian unit deployed in the easternmost sector of the United Nations buffer zone in Cyprus. This is in the context of cooperation between Austria and neighbouring countries in peacekeeping.

Having completed the necessary consultations, I propose that Slovenia be added to the list of Member States contributing military personnel to UNFICYP.

I should be grateful if you could bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-20232 (E) 240797

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/577
24 July 1997

ORIGINAL: ENGLISH

LETTER DATED 24 JULY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 21 July 1997 (S/1997/576) concerning an addition to the list of Member States contributing military personnel to the United Nations Peacekeeping Force in Cyprus has been brought to the attention of the members of the Security Council. They note the information contained in the letter and agree with the proposal contained therein.

(Signed) Peter OSVALD
President of the Security Council

97-20238 (E) 240797

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/578
24 July 1997

ORIGINAL: ENGLISH

LETTER DATED 21 JULY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolutions 1037 (1996) of 15 January 1996, 1079 (1996) of 15 November 1996 and 1120 (1997) of 14 July 1997 concerning United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES).

With reference to operative paragraph 2 of resolution 1037 (1996), I should like to inform you that it is my intention to appoint Mr. William Walker (United States of America) as the Transitional Administrator for UNTAES with effect from 1 August 1997. Mr. Walker will replace Mr. Jacques Paul Klein, who has recently been appointed Principal Deputy High Representative for Bosnia and Herzegovina.

(Signed) Kofi A. ANNAN

97-20244 (E) 240797

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/579
24 July 1997

ORIGINAL: ENGLISH

LETTER DATED 24 JULY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 21 July 1997 (S/1997/578) concerning the appointment of Mr. William Walker (United States of America) as the Transitional Administrator for the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) has been brought to the attention of the members of the Security Council. They agree with the intention contained in your letter.

(Signed) Peter OSVALD
President of the Security Council

97-20250 (E) 240797

UNITED
NATIONS

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General Assembly
Security Council

Distr.
GENERAL

A/51/948
S/1997/580
24 July 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 58
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 22 July 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government I have the honour to draw your attention to a number of provocative statements and illegal actions of Turkey and the Turkish-Cypriot leadership during the so-called "celebrations" of the twenty-third anniversary of the Turkish invasion of Cyprus.

On 20 July 1997, during these "celebrations" a re-enactment of the 1974 Turkish invasion took place, along with military parades. The deputy Prime Minister of Turkey, Mr. Bullent Ecevit, who visited the occupied areas of Cyprus for this occasion, along with a high-level delegation that included other Ministers of the Turkish Government, was reported to have stated, inter alia, that "even if foreign circles and the Greek Cypriots continue to speak of a solution for Cyprus, actually the solution was reached with the Turkish Peace Operation in Cyprus". In this regard it should be pointed out that Mr. Ecevit was the Prime Minister of the Turkish Government which staged the invasion in 1974.

Another ominous action by Turkey is reflected in a "joint declaration" issued by Mr. Ecevit and the leader of the Turkish-Cypriot community, Mr. R. Denktash. This "joint declaration" covers defense, foreign, security, financial and economic policies, to be applied gradually as a step towards the integration of the occupied areas of Cyprus with Turkey.

These actors and statements are yet another manifestation of the continued violation by Turkey of its international obligations towards the Republic of Cyprus. It is also in contravention of the provisions of the Charter of the United Nations and the relevant United Nations resolutions on Cyprus, mainly Security Council resolutions 541 (1983) and 550 (1984), by which the Council deplored and condemned the secessionist entity, declaring it legally invalid,

and called upon all States to respect the sovereignty, independence and territorial integrity of the Republic of Cyprus and not to facilitate or in any other way assist the said secessionist entity.

Moreover, it should be noted that these illegal and secessionist actions are taken in the name of the perceived role of Turkey as a guarantor of the independence, territorial integrity and sovereignty of the Republic of Cyprus.

In addition to the above-mentioned actions, new violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish air force, were recorded on 19, 20 and 21 July 1997.

On 19 July, between 1008 and 1726 hours, a G-4, a CN-235 and two C-130 Turkish military aircraft violated the Nicosia flight information region and the airspace of the Republic of Cyprus.

On 20 July, between 0726 and 1740 hours, a CN-235, a G-4 and a CN-35 Turkish military aircraft also violated the Nicosia flight information region and the airspace of the Republic.

Finally, on 21 July, at 0815 hours, two G-4 military aircraft violated the Nicosia flight information region and the airspace of the Republic. On the same day, between 1310 and 1350 hours, two RF-4 military aircraft entered the Nicosia flight information region and flew over the Kormakitis and Karpasia areas.

Such unauthorized intrusions into the Nicosia flight information region and the airspace of the Republic are in violation of international air traffic rules and seriously endanger civil aviation flights over Cyprus.

Furthermore, between 18 and 21 July 1997, two frigates, two torpedoes and two submarines of the Turkish navy docked in the port of Kyrenia, which was declared closed by the Government of Cyprus to all vessels under law 265 of 3 October 1974, following the Turkish invasion and occupation of the northern part of the island.

These recent events and actions by Turkey and the Turkish-Cypriot leadership, take place at a most sensitive period, just a few days after the first round of the United Nations-sponsored direct talks between the two Cypriot communities at Troutbeck. Such actions could adversely affect the good climate that has emerged from these talks and seriously impede the efforts towards the search for a solution to the Cyprus problem, at a time of increased interest and involvement on the part of the international community. Once again Turkey has demonstrated its lack of political will for a solution to the Cyprus problem and has revealed its real objectives, which aim at consolidating the de facto division and partition of the island for its own selfish interest.

I wish to stress, in the strongest possible terms, my Government's protest against these condemnable and illegal actions perpetuated by Turkey in Cyprus. After 23 long years of occupation and mass violations of the human rights of the people of Cyprus, one third of the island's population is still prevented by the

Turkish occupation forces from returning to their homes in the northern part of the island and is subject to the continuous provocation of the Turkish side.

The Government of the Republic of Cyprus once again expresses its sincere wish that a just and viable solution to the Cyprus problem, based on the relevant decisions and resolutions of the United Nations, be found as soon as possible and, to that end, calls upon the international community to prevail on Turkey and the Turkish-Cypriot leadership with a view to their abandoning the present divisive course and actions and demonstrate the necessary political will for the attainment of such a solution.

I should be grateful if you would have the present letter circulated as a document of the fifty-first session of the General Assembly under agenda item 58, and of the Security Council.

(Signed) Nicos ACHATHOCLEOUS
Ambassador
Permanent Representative

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/51/948/Corr.1
S/1997/580/Corr.1
31 July 1997

ENGLISH ONLY

GENERAL ASSEMBLY
Fifty-first session
Agenda item 58
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 22 July 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Corrigendum

Page 1, fourth paragraph, first line

For actors read actions

97-20733 (E) 310797

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/581
24 July 1997

ORIGINAL: ENGLISH

LETTER DATED 24 JULY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Following the official announcement of the results of the recently concluded elections in Liberia, I am pleased to inform you of the successful completion of the electoral process, which constituted the final element of the revised schedule of implementation of the Abuja Agreement. In support of the efforts of the Economic Community of West African States (ECOWAS), the United Nations Observer Mission in Liberia (UNOMIL) played an effective and critical role in bringing about this outcome.

In February 1997, consistent with the United Nations recommendations on a framework for the holding of elections in Liberia, ECOWAS and the Liberian parties established an agreed framework for the conduct of elections. On 2 April 1997, an Independent Elections Commission (IECOM) was established in Liberia, with the support of ECOWAS, for the purpose of organizing and conducting elections in Liberia. A Special Elections Law was drafted by IECOM providing for the preparation and conduct of the elections in conformity with international standards for democratic elections. The law was endorsed by the Extraordinary Summit of the ECOWAS leaders held at Abuja on 21 May 1997, following consultations with the Liberian political parties.

Logistical constraints experienced throughout the country during the registration process were overcome with the coordinated support of all the international actors, particularly the ECOWAS Monitoring Group (ECOMOG), UNOMIL, the European Union and the United States of America. In the end, IECOM succeeded in registering over 750,000 voters, including many returning refugees. This impressive achievement far exceeded expectations and clearly demonstrated the enthusiasm of the Liberian people for the electoral process. The large number of registration sites and their wide distribution throughout the country afforded Liberians a fair and adequate opportunity to register themselves for the elections.

The political parties contesting the elections conducted a vigorous campaign. The campaign extended across the country, and was conducted in a generally civil and peaceful atmosphere. With ECOMOG providing security, political parties were free to travel and open offices in all parts of the country, and thereby take their messages to the people.

In order to observe and verify the polling exercise, over 500 international electoral observers, including a total of 317 medium- and short-term observers from UNOMIL, were deployed throughout all 13 counties of the country. The UNOMIL observers visited over 1,500 of the 1,864 polling stations. Throughout the country, they reported that polling was conducted in an organized and efficient manner and without reports of violence or intimidation. Voter turnout was high, and voters everywhere conducted themselves in an orderly and peaceful manner. No serious incidents were reported on polling day, and while a number of technical irregularities were noted, there were no reports of major irregularities or of any circumstance that could have affected the outcome or credibility of the polling process. Many observers noted the relatively large number of people asking for assistance in casting their ballots, owing to the very high rate of illiteracy throughout the country. In assessing the overall conduct of the polling, it was apparent that all eligible Liberians had a fair opportunity to vote for a political party of their choice.

Counting took place at polling sites immediately after the close of voting. In all cases, party agents and national and international observers had an opportunity to be present at the unsealing of the transparent ballot boxes and the counting and tallying of votes at the polling sites by the presiding officers. ECOMOG was also present at every polling station, including during the counting and tallying of votes. Final results from each polling site were announced by the presiding officer in the presence of party agents, national and international observers, and ECOMOG. Tally sheets were verified by the party agents present, who were also entitled to receive copies of the tally sheet.

The tabulation of results was conducted by IECOM in Monrovia, in the presence of party agents, national and international observers, and ECOMOG. Partial results were released by IECOM, beginning on 20 July, as they became available. Tabulation of the results was completed on 24 July, and final official results were announced by IECOM at that time. The official results showed that Mr. Charles Ghankey Taylor of the National Patriotic Party had received an absolute majority of votes cast, thereby making unnecessary the holding of a second round of balloting.

Earlier today, I issued a joint statement (see annex) with the Chairman of ECOWAS, General Sani Abacha, Head of State of Nigeria, verifying that the elections had been held in a secure environment, that the process had been credible and transparent and that the announced results were in accordance with the votes cast. On behalf of the United Nations and ECOWAS, the elections were certified as having been free and fair.

I commend IECOM for its effective management of the elections and ECOMOG for ensuring a secure environment for the electoral process. I also commend the international donor community for its effective and generous assistance to the electoral process. I commend and congratulate ECOWAS countries for their persistence and determination in seeing the peace process through to a successful conclusion, and for their efforts at making this unprecedented, joint operation between the United Nations and ECOWAS under Chapter VIII of the Charter of the United Nations, a success. It is an example of the type of cooperation that can help to give new impetus to international efforts to promote peace and stability, in Africa and throughout the world.

Above all, however, I congratulate the people of Liberia for the serious and responsible manner in which they have demonstrated their commitment to democracy and their support for the peace process. I look forward to early discussions with the new Government on how the United Nations can best assist Liberia's efforts at national reconciliation, reconstruction, and development.

(Signed) Kofi A. ANNAN

Annex

Joint certification statement by the Chairman of the Economic Community of West African States and the Secretary-General on the 1997 Liberian Special Elections

1. The results of the Liberian elections held on 19 July 1997 have now been announced by the Chairman of the Independent Elections Commission (IECOM). With this act, IECOM has formally completed the electoral process, the last item on the revised schedule of implementation of the Abuja Agreement under the ECOWAS Peace Plan for Liberia. We have received the reports of our representatives in Monrovia that indicated that IECOM had succeeded in according Liberian voters the opportunity freely to elect their leaders. This was done within the framework of the Special Elections Law, a one-time only legal instrument, which conformed to international standards for democratic elections. The Law was endorsed by the Extraordinary Summit of ECOWAS leaders held at Abuja on 21 May 1997.

2. We were informed that more than 750,000 voters were registered nationwide to participate in the special elections and they turned out in large numbers to avail themselves of the opportunity to express freely their will through the ballot. Polling took place without violence or intimidation. The entire electoral process was conducted in an impartial and transparent manner. There were no reports of irregularities or incidents of a nature that could have affected the credibility of the elections, which were verified by over 500 international observers. The outcome of the presidential and legislative elections therefore reflects the will of the Liberian voters.

3. On behalf of the Economic Community of West African States and the United Nations we declare that the electoral process, which culminated in the final announcement of the results on 24 July 1997, was free, fair and credible.

4. We congratulate the Liberian people for demonstrating, through this process, their commitment to peace and their desire for the establishment of a democratically elected government. As the newly elected Government embarks on the daunting task of reconstructing the country and reconciling the nation, we call upon all Liberians to give it their fullest support. We commend the Organization of African Unity and the international donor community, which provided generous contributions and technical assistance towards the process that facilitated conducive arrangements for the elections. ECOWAS and the United Nations intend to continue to be actively engaged in the reconstruction of Liberia and to assist in mobilizing international support for this purpose.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/582
25 July 1997

ORIGINAL: ENGLISH

LETTER DATED 21 JULY 1997 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 1108 (1997) of 22 May 1997, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 September 1997.

The tour of duty of Major-General Jorge Barroso de Moura (Portugal), who has been serving as Force Commander of MINURSO since 30 November 1996, will come to an end on 31 July 1997. Following the usual consultations, it is my intention to appoint Brigadier-General Bernd S. Lubenik (Austria) to the post of Force commander of MINURSO, with effect from 1 August 1997.

I would be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

97-20309 (E) 250797

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/583
25 July 1997

ORIGINAL: ENGLISH

LETTER DATED 25 JULY 1997 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 21 July 1997 (S/1997/582) regarding your intention to appoint Brigadier-General Bernd S. Lubenik (Austria) to succeed Major-General Jorge Barroso de Moura (Portugal) as Force Commander of the United Nations Mission for the Referendum in Western Sahara (MINURSO) has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter.

(Signed) Peter OSVALD
President of the Security Council

97-20315 (E) 250797

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General Assembly
Security Council

Distr.
GENERAL

A/51/949
S/1997/584
21 July 1997

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Agenda item 3
CREDENTIALS OF REPRESENTATIVES
TO THE FIFTY-FIRST SESSION
OF THE GENERAL ASSEMBLY

SECURITY COUNCIL
Fifty-second year

Letter dated 24 July 1997 from the Permanent Representative of Cambodia to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith for your urgent attention the text of a letter dated 24 July 1997 from H.R.H. Prince Norodom Ranariddh, First Prime Minister of the Royal Government of Cambodia, addressed to Your Excellency concerning the Royal Decree to recall me from my position as Permanent Representative of the Kingdom of Cambodia to the United Nations.

I would be deeply grateful if you could kindly circulate the text of the present letter and its annex as a document of the General Assembly, under agenda item 3, and of the Security Council.

(Signed) SISOWATH Sirirath
Ambassador Extraordinary and
Plenipotentiary
Permanent Representative

ANNEX

Letter dated 24 July 1997 from the First Prime Minister of the Royal Government of Cambodia addressed to the Secretary-General

I have the honour to inform you that Prince Sisowath Sirirath, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Kingdom of Cambodia to the United Nations, is and will always be the legal Permanent Representative of the Royal Government of Cambodia, of which I am the First Prime Minister. Any attempt by my colleague Second Prime Minister Samdech Hun Sen, the Coup Leader of 5 and 6 July, and his collaborator, Acting Head of State Samdech Chea Sim, to recall Ambassador Sisowath Sirirath is unwarranted.

In his letter dated 24 July 1997 addressed to both Samdech Chea Sim, the President of the National Assembly, and Samdech Hun Sen, the Second Prime Minister, His Majesty King Norodom Sihanouk said that he had no advice and opinion concerning this request and that the Royal Government of Cambodia will have to decide and Samdech Chea Sim, the Acting Head of State, could sign the Royal Decree to recall Prince Sisowath Sirirath himself in the name of the King.

Firstly, may I be permitted to inform Your Excellency that under chapter II, article 21, of our Constitution, only His Majesty the King can deposit his signature to appoint high civil servants, members of the military as well as civilian officials and Ambassadors Extraordinary and Plenipotentiary.

Secondly, His Majesty the King has stated that it is up to the Royal Government of Cambodia to decide. Under the Royal Government of Cambodia, I am the legal First Prime Minister. There is no article anywhere in our Constitution which states that the Acting Head of State can remove from office any member of the Royal Government of Cambodia, Ambassador or Provincial Governor.

Thirdly, the statement by His Majesty the King that the Acting Head of State could sign the Royal Decree to recall Ambassador Sisowath Sirirath is prima facie unconstitutional because His Majesty the King knows full well that under the Constitution, if Acting Head of State Chea Sim wants to remove Ambassador Sisowath Sirirath, he can do so by himself in his own name. But His Majesty the King will not sign the Royal Decree. In the present situation of political turmoil in my country, none of the collaborators of the Coup Leader could decide or give any instructions on my behalf. The Royal Government of Cambodia is only half full. The true members of the FUNCINPEC party are not in it. It is composed of FUNCINPEC renegade members and some are under the threat of Hun Sen.

clearly shown in his letter addressed to Your Excellency on 8 July 1997, in which he accuses me without justification of many crimes.

Ambassador Sisowath Sirirath cannot be removed from his present position as Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Kingdom of Cambodia to the United Nations. When Ambassador Sisowath Sirirath was appointed it was upon my recommendation as well as that of Samdech Hun Sen. Therefore, without my approval, Ambassador Sisowath Sirirath cannot be recalled from his present position.

I would be deeply grateful if you would kindly so inform the members of the Credentials Committee, the Security Council and the General Assembly and circulate my letter as a document of the United Nations.

(Signed) NORODOM Ranariddh
First Prime Minister